



Federal Ministry for  
Family Affairs, Senior Citizens,  
Women and Youth

Information

# Second Action Plan of the Federal Government to Combat Violence against Women

Action Plan  
Violence  
Women









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# I.

## Introduction

### 1.1 Where are the new challenges?

In the first action plan to combat violence against women, published in 1999, the Federal Government agreed upon and implemented an overall concept that included measures within its area of responsibility. It provided impetus for a number of projects that have since proved very successful in practice. These include the Protection against Violence Act, Intervention Projects against Domestic Violence, material on dealing with victims of domestic violence in inpatient medical care, and the Act on Raising Children without Violence.

The results of the broadly based study entitled “Health, Well-Being and Personal Safety of Women in Germany”, commissioned by the Federal Ministry of Family Affairs, Senior Citizens, Women and Youth (Representative Study) illustrated that women are affected by many forms of violence to a great extent. The perpetrators are for the most part men, and many of the acts take place in the immediate social context. All of the acts have extensive health and social consequences.

With the Second Action Plan, the questions and challenges posed by this study, as well as by other research and information from everyday practice shall be confronted.

## Greater Protection for Migrant Women Affected by Violence

According to a representative study, women from the two immigrant groups interviewed (with Turkish and Eastern European backgrounds) experienced physical and sexual violence more frequently than was average for the German female population. They also suffered severe forms of physical and sexual violence more often. Migrant women who are affected by violence are especially dependent on easily accessible forms of support. The accompanying study (WiBIG Study) found that more migrant women can be reached through what is called proactive or outreach help; it is also important to consider the dimension of language in this context.

The Representative Study, as well as reports from actual practice and the agencies that provide support, show that migrant women are affected by an additional form of violence: forced marriages. There is no reliable data on the extent and the characteristics of the phenomena of forced marriage in Germany at this point. It affects mainly girls and young women from families with migrant backgrounds, whereby the problem is not only limited to Islamic cultural circles, and men are also among those affected. The Representative Study only allows us to make a tentative initial assessment. Information concerning the extent of the problem has been provided by surveys conducted by the individual Länder in recent years, in which personnel from institutions that offer support, such as women's shelters and youth services facilities, were interviewed concerning the cases known to them.

Other forms of violence that affect migrant women are trafficking in human beings, particularly for the purpose of sexual exploitation, but also to exploit labour, and genital mutilation.



## Focussing More on Women with Disabilities

Women with disabilities were intermittently considered in the first Action Plan on Violence. As a result of a fundamental shift in the political paradigm towards supporting more self-determined lives for disabled women and men, there is now a greater focus on the issue of violence against women with disabilities. This is an achievement of the organisation that represents the political interests of disabled women.

The perpetrators usually live in the immediate social context of the women who are affected. Attacks and sexualised violence are often committed by persons who are in charge of providing care. Often they exploit the dependency of their victims. This form of violence is facilitated by a lack of self-confidence and inability to set sufficient limits on the part of disabled women, who have often never learned these skills. The situation of women with so-called mental disabilities is often compounded by the fact that they often have no, or only insufficient understanding of sexuality, their bodies, their own sexuality, and their right to privacy, not to mention a lack of awareness of sexualized violence. When attacks have occurred, they are often not able to provide comprehensible explanations, or these claims are not taken seriously by those who provide the victims with care and assistance. This results in special requirements needing to be fulfilled in order to take legal steps to ensure protection, for example under the Protection against Violence Act. Data which could provide an indication of the actual extent of violence against disabled women in the immediate social context is not available at this point. Similarly, there is also no material available to provide information for the target group.

## Thinking of Children on Time – Prevention as Early as Possible

The Representative Study on violence against women in Germany clearly showed that the experience of physical and sexual violence

during a woman's childhood and adolescence, or having witnessed it in their families of origin, were factors putting women at greater risk of becoming victims themselves in adult life. Hence, women who had witnessed physical altercations between their parents during their childhood and adolescence were twice as likely to suffer violence from an (ex-)partner as women who had no experience of violence between their parents. Women who had been subjected to physical violence as children or adolescents by a person in charge of raising them were three times as likely to be affected by violence from their partners as other women. Women, who were victims of sexual abuse before 16 years of age were twice as likely as other women to become victims of domestic violence by their partners, and four times as likely to become victims of sexual violence. This clearly illustrates the long-term effects of violence experienced during childhood and in the family of origin on adult life.

Some 60% of the interviewed women who reported that there was violence involved in their last relationship also indicated that there were children living with them in this relationship. A total of 57% of these women indicated that the children had heard violent situations, and 50% indicated that the children had seen violence. Roughly 21% to 25% indicated that the children had become involved in the altercations or had attempted to defend the women interviewed. One in ten of these children were also physically attacked.

The Second Periodic Safety Report by the Federal Government in 2006 took the situation of children and adolescents as victims of violence into special consideration and also provides important information on the need for early preventive measures.

It is essential that girls and boys are ensured effective protection against violence beginning as early as possible. Great efforts must be undertaken in this area.

## Considering Special Risks – Women in the Process of Separation

Throughout the Representative Study there are repeated indications of the fact that women in the process of separation or divorce are at high risk of becoming victims of physical or sexual violence by their partners or ex-partners. Hence, the violence experienced by divorced women was both more extensive and more severe than was the case for other women. Violent behaviour on the part of a partner was often triggered by the intention to seek a separation. Separation and divorce, or the intention to take such a step, greatly increased a woman's risk of becoming the victim of (more severe) violence in a relationship.

In the wake of a number of cases of homicide, the police in the Länder have been increasingly considering analyses of risk and endangerment, i.e. how escalating violence, which may even lead to homicide within a relationship, can be prevented. The counselling agencies have also begun to address this special risk situation in their concepts.

There is a need for further information so that the level of danger can be better assessed and appropriate intervention measures by various professional groups can be supported.

## Activating the Health Care System to Protect Women Affected by Violence

The Representative Study showed that the women affected by violence often exhibited health, physical or psychological injuries, some of which were quite severe. In many cases, professionals from the field of health care – particularly doctors – are the decisive (initial) contacts. However, they sometimes fail to recognize the relevance of the problem of violence as a cause of symptoms; even when the situation is explained by the women, they often react in an inappropriate man-

ner. Medical care and treatment must be organized in a manner that ensures that women who have become victims of violence are cared for and support in manner appropriate to the situation.

### Addressing Additional Contacts for Women Affected by Violence: The Legal System and Persons from the Immediate Social Context

The evaluation of the Protection Against Violence Act, commissioned by the Federal Ministry of Justice, showed that women affected by violence make use of the new law and that it has been well accepted. Reports to the Federal Working Group on Domestic Violence from those involved in counselling also clearly indicate that women who are victims of violence see a need for greater competency on the part of judges, senior court officers, and bailiffs in dealing with the issue of domestic violence.

The immediate social context also plays an important role for women affected by violence. Before a woman turns to official institutions, such as the police or the legal system, or to aid agencies, she is much more likely to confide in persons close to her. They can provide decisive impulses, yet they often feel overwhelmed or helpless in this situation. In this context, there is a need for further measures to raise awareness.

### Providing Victims with Easy, Low-Threshold Access to the Support System

One of the essential findings of the Representative Study and the WiBIG study showed that women of all age groups, all social strata and diverse ethnic backgrounds are subject to various forms of violence to a high degree during the course of their lives, and that support services with the lowest possible threshold and the easiest possible access, while guaranteeing full anonymity, are needed in order to take a first step towards ending the concrete experience of violence. Many victims of domestic

violence tolerate violence by a partner for many years. Victims of sexual abuse, in particular, turn neither to the police and the system of justice, nor to existing counselling services. This is also true in the case of (sexual and other) harassment in the workplace. In addition, women who are victims of forced marriages or trafficking in human beings also seek easily accessible, reliable, and anonymous advice.

## Calling Perpetrators to Task and Making Efforts to Change their Behaviour

Work with perpetrators, which has been initiated within Cooperation and Intervention Projects funded as model projects by the Federal Ministry of Family Affairs, Senior Citizens, Women and Youth, and is being studied within the framework of the WiBIG Study, can be found in a rudimentary form in only a few Länder. The tasks and questions that need to be addressed include the development of quality standards and the integration of new elements in the work with perpetrators, for example in appealing to violent men as fathers and the development of modules for perpetrator programmes that are geared towards men with migrant backgrounds.

## The Expansion of Successful Forms of Cooperation between the Federal and Länder Governments and Non-Governmental Organisations

By establishing the Federal Working Groups on Trafficking in Women and on Domestic Violence it has been possible to effect positive cooperation with the Länder. The effort to involve non-governmental organisations in cooperation with the federal and Länder governments was equally successful, thereby making it possible to integrate the practical experience of specialised counselling services into the planning of policy and concrete measures by the Federal Government. The establishment of national networks of aid agencies has been a positive factor for the success of this cooperation.

The work done by both of the Federal- Working Groups is marked by a high degree of expertise and cooperation based on a long history of trust. The extensive, interdisciplinary cooperation between the federal and Länder governments and non-governmental organisations has proved to be a reliable instrument and will be continued and expanded. In those cases where there has been no cooperation thus far, it shall be introduced. Against the background of a shift in responsibilities between the federal and Länder governments, forms of cooperation such as these play an important role in facilitating agreements between various participants on rational procedures pertaining to complex questions in order to serve the interests of those who are affected.

## 1.2 Objectives and Structure of the Second Action Plan?

The **main objectives** of the Second Action Plan are to improve efficiency in combating violence against women and to better protect the women affected.

The Second Action Plan is oriented on the **structure** of the First Action Plan and brings together all of the Federal Government's measures against all forms of violence in the following areas

1. Prevention
2. Law Making by the Federal Government:
3. Aid systems to support and advice for women affected by violence
4. National network of systems of support
5. Cooperation between governmental institutions and non-governmental support agencies.
6. Work with perpetrators
7. Qualification and increased awareness
8. Research
9. European and other international cooperation
10. Measures to support women abroad

In adopting this Action Plan the Federal Government also expects that the Länder will further develop their programmes to combat violence against women. In the wake of the First Action Plan, each of the Länder adopted a plan of action or group of measures to improve the protection of women affected by violence and took corresponding steps. This is of such great importance because many of the necessary measures are the sole responsibility of the Länder.

## II.

## Contents of the Federal Government's Second Action Plan

### 2.1 Prevention

Every programme to combat violence against women must aim at preventing the emergence of violence. Prevention of violence is therefore an essential component of the Action Plan

Prevention must be understood here in a very broad sense. Every measure that calls perpetrators to task can be categorized as a preventive measure to the extent that its intention is to avoid future violent incidents. Every measure that protects and empowers women also has a preventive character when it prevents (renewed) victimisation.

Measures aimed at the target group of children and adolescents are the central aspect of prevention in order to break the cycle of violence. The Representative Study "Health, Well-Being and Personal Safety of Women in Germany" showed with shocking clarity that the experience of violence, as well as simply having been a witness to violent situations, during childhood, significantly increases the risk of becoming a victim of violence as an adult. Children and adolescents who are concretely affected require effective support; at the same time, gender-specific measures for training in non-violent conflict resolution strategies are also needed.



This will require special skills in the fields of (pre)school education as well as in youth services. The **Federal Working Group against Domestic Violence** has commissioned a sub-committee with the development of corresponding **modules specifically for the schools**. The results address people active in various fields, who will assess the applicability within their fields of responsibility.

The Federal Ministry of Family Affairs, Senior Citizens, Women and Youth supports the **research project to accompany the Berlin model project “BIG Prevention Project, Cooperation between School and Youth Services in cases of Domestic Violence”** (*BIG Präventionsprojekt, Kooperation zwischen Schule und Jugendhilfe bei häuslicher Gewalt*). The project tests methods of preventing domestic violence and supporting affected children and their parents on the interface between school and the youth services authorities. Within the framework of this project, professional personnel within the schools, youth services and youth social work will be qualified accordingly. The results of this project, as well as of other pioneering prevention measures, will be presented at a **conference** staged by the Federal Ministry of Family Affairs, Senior Citizens, Women and Youth and will thereby influence prevention work in the Länder and local cities and towns nationwide.

In order to recognise the risks faced by children, especially in conjunction with domestic violence, as early as possible, and to thereby avoid endangering the child's welfare, the Federal Ministry of Family Affairs, Senior Citizens, Women and Youth has developed the **„Early Prevention for Parents and Children and Early Social Warning Systems” programme**. The goal is to protect children from neglect and abuse especially by enhancing the parenting skills of those raising them. The focus is especially on the target group of children from a prenatal stage to the age of roughly three years, on pregnant women, and on young mothers and fathers in difficult living situations. The rapid de-

velopment process of infants and small children and their high degree of vulnerability require the early recognition of dangers in the home and the rapid provision of appropriate help. The period of pregnancy and the phase before and after the birth of a child are situations in which young parents are likely to take advantage of medical care and are most receptive to offers of advice or counselling. In some cases, this is precisely when the first, or more frequent, acts of violence are committed by a partner. In order to gain access to families as soon as a child is born, and to make use of interdisciplinary expertise, it is essential that the efforts of the health care system, child and youth services, pregnancy counselling and women's support facilities are synchronised with each other.

The implementation of the programme takes place in close consultation with the Länder and local governments. In various regions in Germany there are already isolated, local projects and models to support the development and to provide better protection in early childhood. In order to tie into this experience, further measures to fill the gaps in our knowledge, and model projects to test the possible success of promising approaches, will be offered as research contracts.

Moreover, the multiprofessional **“National Centre on Early Prevention”** (*“Nationales Zentrum Frühe Hilfen”*) is establishing a platform extending beyond the borders of the Länder in order to compile existing knowledge in a targeted manner and to make it available to all interested parties in local governments and agencies responsible for providing services, and to support them in implementing early help and early social warning systems. The issue of domestic violence will also be included here.

In this context, the Federal Ministry of Family Affairs, Senior Citizens, Women and Youth supports the **model project “Pro Kind”** (“Prevention through Early Support – model project on the prevention

of illness, poverty and criminality for children from disadvantaged families”) in Lower Saxony. This project aims at prevention beginning during pregnancy and continuing on into the first years of life. Girls who are pregnant for the first time and who find themselves in problematic social situations, who have never completed school or vocational training, or who have experienced violence in their families are given special support by midwives and social workers in their domestic environments. The project is accompanied by research on its effectiveness and an analysis of its cost-efficiency.

With the “Action Plan of the Federal Government for the Protection of Children and Young People from Sexual Violence and Exploitation”, the Federal Government has determined an overall strategy to focus on protecting children and young people against sexualised violence. The plan of action is devised as a process. Its implementation and continuation is being accompanied and actively supported by a working group in which the Federal Government and the Länder participate. The plan of action is aimed at further developing protection provided under criminal law, at enhancing preventive measures, and at protecting victims, as well as at establishing a network of agencies offering aid and counselling, along with supporting international cooperation to protect children and adolescents. Within the framework of this Action Plan, numerous measures are being promoted and planned by the Federal Government. In the following, a number of plans for projects to prevent violence are highlighted:

- The Federal Government has achieved broader recognition, increased awareness and greater understanding of the issue of sexually abused children through the national campaign of prevention entitled “Look.Act.Help” (“*Hinsehen.Handeln.Helfen*”). The Internet site established in conjunction with this campaign [www.hinsehen-handeln-helfen.de](http://www.hinsehen-handeln-helfen.de) provides important information on the prevention of the sexual abuse of children as well as an easy-to-use databank

in order to find the address of the nearest local counselling centre nationwide. This service will continue to be provided and updated by the Federal Government.

- I The parents' guidebook published by the Federal Government, entitled "Ask Courageously – Act Circumspectly" (*Mutig fragen - besonnen handeln*), provides specific information on the topic of the sexual abuse of children and adolescents and suggestions for taking preventive action in this context. It will continue to be made available due to the high demand.
- I Within the framework of its responsibilities, the Federal Government will contribute to improvements in dealing professionally with sexually aggressive and deviant minors in the interest of preventing the emergence of new victims and to avoid the establishment of criminal structures. The Federal Government will promote measures for the qualification and further training of professionals who contribute to the enhancement of cooperation between counselling agencies, child and youth services, police, the system of justice, and the mental health system. One of the Federal Governments systems of aid for the purpose of prevention is aimed specifically at children and adolescents. The telephone hotline for children and young people, the "Number against Troubles" (*Nummer gegen Kummer*), can now be reached through a network of 96 regional locations and offers children and adolescents free, anonymous counselling and advice on a broad range of subjects. The expansion and quality assurance measures for this hotline will be continually promoted by the Federal Government.
- I The Federal Government will support targeted measures in order to prevent the sexual abuse and exploitation of children in conjunction with tourism. These include raising awareness and recruiting the active support of travellers and the tourism industry through the following projects:
  - I The introduction and sustainable implementation of an appropriate code of conduct for individual companies in the tourism

industry, for national and international associations and structures in the tourism industry by the German section of ECPAT (End Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes). This code includes an obligation to inform travellers, to train and raise the awareness of employees in the tourism industry, and to reach appropriate agreements with hotels and service providers on site.

- I In order to draw travellers' attention to the problem of the sexual abuse of children at various tourist destinations, and to inspire them to take action, the Federal Government supports the "Please disturb" campaign mounted by the children's aid programme of terre des hommes Germany. Within the context of this cooperation, an Internet platform (*www.childhood.com*) was also created; moreover new advertising spots were developed to be shown in-flight, on television and in cinemas. The Federal Government is providing support for its distribution.

### The **National Action Plan "For a Germany Fit for Children 2005–2010"**

includes roughly 170 measures through which the Federal Government addresses issues central to children's policy as well as professional concerns. In doing so, the National Action Plan encompasses a number of measures with a preventive character. With regard to the issue of domestic violence and the prevention of violence, the Action Plan focuses particularly on the following projects and measures by the Federal Government:

- I The Federal Government supports the development of parent training programmes to prevent violence by partners.
- I The Federal Government will examine ways of ensuring that more emphasis is placed on the issue of violence between partners in measures to provide information and ongoing training for professionals in field of law so that more consideration is given to the issue in conjunction with questions of guardianship and visiting privileges; in this context the question of whether ongoing training can be mandated for professionals will also be examined.

- | The Federal Government will develop guidelines for dealing with the protection of children in violent partnerships that will ensure that children are perceived as individual persons and involved in the process of finding solutions, as well as quality standards to help youth services institutions in dealing with this type of problem situation.
- | Current findings on violence in partnerships will be specifically prepared for services catering to families with migrant backgrounds and distributed for the purpose of ongoing, in-house training.
- | The Federal Government will review the information available on gender-specific reactions to violent partnerships and have it evaluated in order to develop adequate concepts for dealing with the problem with regard to girls and boys.
- | The Federal Government also supports model projects to support a widespread introduction of family training programmes with the objective of providing information and training for parents with regard to non-violent methods of raising children.
- | The Federal Government also lobbies for greater recognition of conventions related to children's rights during international negotiations and for greater consideration to be given to children and adolescents, than was previously the case, in the strategy papers on combating poverty within the context of developmental cooperation.
- | Since girls, in particular, have greater difficulty in gaining access to basic social services in many developing countries, the Federal Government will support measures to promote the empowerment of girls.
- | The Federal Government reaffirms its dedication to combating female genital mutilation.

The implementation of the National Action Plan will lead to the integration of all levels of government, independent and public agencies responsible for organising youth services, and a diverse range of socially active groups and individuals.

The system of **youth media protection** also fulfils an important function in preventing violence and in teaching non-violent behaviour.

The task of youth media protection in relation to prevention and education is to counteract media role models – including violence as a means of dealing with conflict or as an element of sexuality. In this context it is important to inform young people about counselling services, and to provide explanations and positive examples in the media in which girls and young women can see themselves as competent and self-confident individuals, and in which young men see them as possessing these characteristics as well. These objectives are being implemented through the **model project called “youth online!”** (*jugend online!*) **with its portal for adolescents** [www.netzcheckers.de](http://www.netzcheckers.de); further measures will also be developed. The youth portal presents a variety of national aid agencies and counselling services under its “Advice” (Ratgeber) heading and organises them according to various key topics. Particular emphasis is placed upon services offered by the counselling network Beranet and bke-Jugendberatung (youth counselling services). Under the heading “Love” a form can be filled out to directly contact the Sextra online counselling service offered by pro familia, which also provides counselling in cases of sexual violence. The editorial staff of the netzcheckers has already recognised young migrants as a special target group. The editorial staff cooperates with institutions in youth migration services, and they work together on joint projects. They consciously attempt to involve the greatest possible number of girls and young women, and develop some activities exclusively for young female migrants.

In the materials that are produced by the Federal Government in cooperation with the **Federal Centre for Health Education** for the purpose of implementing Section 1 of the Act on Pregnancy in Conflict Situations, the prevention of violence is a recurrent topic, e.g. in brochures for girls and women in such situations, for parents and for the co-workers in vocational training programmes.

Services offered for parents also have an important preventive function.

The **Parents' Telephone** operated by the “*Nummer gegen Kummer*” is a nationally accessible free, anonymous telephone service offering opportunities for discussion, counselling and information for mothers and fathers, as well as support in dealing with questions related to raising children. Measures to ensure the quality of this hotline and its expansion are funded by the Federal Ministry of Family Affairs, Senior Citizens, Women and Youth. The counsellors are to be made more aware of the issue of domestic violence; ongoing and additional training programmes are being planned for this purpose. The parents' telephone will cooperate extensively with other institutions and aid agencies and, when needed, will make referrals to other providers of more extensive forms of support.

The Federal Ministry of Family Affairs, Senior Citizens, Women and Youth is planning a **Special Parents' Letter** dedicated to the effects of domestic violence on children.

The **Programme of Police Criminal Prevention by the Länder and the Federal Government (Programme Polizeiliche Kriminalprävention der Länder und des Bundes)** is also active in the area of preventing violence ([www.polizei-beratung.de](http://www.polizei-beratung.de)), including through such means as media campaigns and public relations measures. With the brochure “Ways to Escape from Violence” the police inform parents and others responsible for raising children about the causes and extent of violence. The brochure “Where are you going?” (*Wohin gehst du?*) deals with the areas in life in which children and adolescents may be – actively or passively – confronted with the phenomenon of “criminality”. In this context, the aspects of “child abuse” and “sexual abuse” are discussed along with the topics of “youth criminality”, “youth and violence” and “media and violence”. In addition to illuminating the social or psychological backgrounds, the brochure also increases the awareness of typical symptoms that result when violence is either suffered or committed. With the campaign “Hand in hand – against



violence! For the future of our children”, non-violent methods of raising children are being promoted in migrant families with Turkish backgrounds.

As the taboo on discussing the topic of “violence against women with disabilities” begins to be lifted, it has been shown that women with various forms of disability are affected by (sexual) violence to at least the same extent, if not more frequently, as non-disabled women are. These attacks appear to take place to a considerable extent in all types of facilities, in the domestic context, during trips to schools for the disabled and to sheltered workshops. Often problems result from the victim's lack of self-confidence and insufficient information on, or understanding of, sexuality and exploitation.

One of the most effective possibilities for preventing violence is empowering women and girls so that they are able to confront those who overstep boundaries and attempt attacks. According to the Ninth Book of the Social Code, doctors are allowed to issue medical prescriptions for training to help improve the self-confidence of women and girls with disabilities (or threatened with disabilities). Such training is provided as a supplementary benefit to medical rehabilitation, or to facilitate participation in working life, and is conducted within the framework of rehabilitation sports programmes. The Federal Ministry of Family Affairs, Senior Citizens, Women and Youth therefore supports the research project entitled **“SELF – Self-confidence for disabled girls and women”** (*SELBST – Selbstbewusstsein für behinderte Mädchen und Frauen*) **under Section 44 of the Ninth Book of the Social Code**. The results are to become part of the curricula in both the training sessions as well as in the training programmes for future trainers, who will offer these sessions within the context of rehabilitation sports. In addition, guidelines and quality standards for these exercises will also be developed. The curricula are to be established in standard practice.

In order to develop a collection of sexual education materials based on reliable research findings, the Federal Ministry of Family Affairs, Senior Citizens, Women and Youth has provided support for the model project **“Dealing with sexual self-determination and sexualised violence in residential facilities for young people with mental disabilities”** (*Umgang mit sexueller Selbstbestimmung und sexualisierter Gewalt in Wohneinrichtungen für junge Menschen mit geistiger Behinderung*). On the basis of these research findings, publications will be made available with information for work in prevention: a workbook for persons with learning disabilities in residential facilities, an accompanying volume for professionals in such facilities, and an abridged version of the research report.

For women with disabilities who live in such facilities it is essential that contact persons are available to provide support in their attempts to make themselves heard. **Commissioners of Women's Affairs in facilities for occupational rehabilitation** make an essential contribution to the prevention of violence. This was one of the results of the feasibility study by the Federal Ministry of Family Affairs, Senior Citizens, Women and Youth on the establishment of the office of a commissioner of women's affairs. As a next step in a model project, initial attempts will be made to conduct work and assume responsibility for certain tasks, including in the area of the prevention of violence, and to assess the success.

The **Federal Commissioner for Matters Relating to Disabled Persons** is an initial contact for persons with disabilities. In keeping with the German Disability Discrimination Act, the Commissioner works to ensure that the Federal Government fulfils its responsibility to enable people with and without disabilities to live under equal conditions in all areas of society. This also includes the protection of disabled women and girls against violence. The commissioner responds to the concerns of disabled persons and, in turn, introduces them into policy discussions in every field.

**Women and girls with migrant backgrounds** are affected by specific forms of violence. These include forced marriages, which represent a severe violation of human rights. There is no reliable data on the extent or the characteristics of the phenomenon of forced marriage in Germany. There is also a lack of clarity and some controversy in public debate concerning the boundaries between arranged marriages, on the one hand, and forced marriages, on the other. Those affected are primarily girls and young women between the ages of 16 and 21 from families with migrant backgrounds, whereby this problem is not limited only to Islamic cultural circles, and young women from families with social problems are most often involved. The Federal Ministry of Family Affairs, Senior Citizens, Women and Youth therefore supports **a model project to expand online counselling services for young female migrants threatened by forced marriage or other forms of domestic violence**. Within the context of this project, counselling services are to be established for the friends of the person affected, professional helpers, and multipliers. In addition, networking with other facilities to provide support is also to be promoted.

In addition, the Federal Government also supports a number of different measures to prevent violence against migrant women, such as the promotion of **high profile measures – some within the communities and in the countries of origin – in which the case against forced marriage is presented** and projects and measures to **empower** migrant women. The Federal Ministry of Family Affairs, Senior Citizens, Women and Youth supports diverse measures to increase the participation of women with migrant backgrounds in the social and political context in order to enhance their sense of self-reliance and thereby contribute to the prevention of violence. The following examples are cited:

- I the “Forum of dialogue with representatives of Muslim women’s organisations and female speakers representing Islamic umbrella organisations and Muslim associations operating beyond**

**the regional level in Germany”** (*Dialogforum mit Vertreterinnen von muslimischen Frauenorganisationen bzw. Sprecherinnen von islamischen Dachverbänden und überregionalen Zusammenschlüssen*) to improve the social participation of Muslim women and to promote understanding with regard to issues of equality;

- I The **“Transcultural and Interreligious Learning Centre for Women”** (*Transkulturelles und interreligiöses Lernhaus der Frauen*) as a programme to qualify women with and without migrant backgrounds as cultural mediators;
- I and the project **“network.21”**, a mentoring programme for young women (girls in forms 11–13 and female students) as a network of support in finding orientation in the labour market and in their careers.

Various measures to prevent violence against women and girls with migrant backgrounds are included in a number of areas in which the Federal Ministry of the Interior and the Federal Office for Migration and Refugees are active and these will be increased in the future.

These include **courses for women**, which include low-threshold measures to improve language skills – parallel to the integration courses - and counselling on individual issues related to the women’s living situations. These programmes are offered in order to promote the integration of foreign women, improve their self-confidence, increase their resources, and to lead them on to measures to further promote integration. The concept also intends to address questions of honour and morality, forced marriage, and violence against women. In addition, attempts will be made to **raise the awareness of the women who run the courses** with regard to these topics, so that they will be able to refer women seeking advice to qualified counselling agencies.

Parallel to these efforts, the Federal Ministry of the Interior funds **integration projects for foreign women and men** which focus on highly relevant topics regarding integration and thereby send out a

political message. These include such as participation in political life, activating migrant organisations, integration of mosque associations, dialogue with Muslim men and women, conveying democratic values, and the prevention of violence. For the most part, these projects are conducted by migrant organisations which present their activities in the field of integration as a model for others. Particularly worth mentioning in this context is the **Project “Overcoming Barriers, Standing Up for Values Together”** (*Barrieren überwinden, für gemeinsame Werte eintreten*) operated by the non-profit organisation NAVEND – Centre for Kurd Studies, which is establishing special counselling and support services for migrant Kurdish women who are affected or threatened by domestic violence.

In addition, the Federal Office for Migration and Refugees also supports projects specifically designed for the target group of girls and women in order to enhance their skills in helping themselves and to improve their ability to integrate. The **“Kitchen Boxer” Project** (*Küchenboxer*), operated by the city of Cloppenburg, is specifically designed to lift the taboo on discussing the topic of domestic violence in repatriate families, in order to shed some light on the issue. The **“Pinocchio” Project**, operated in Detmold by the Service Agency of the Protestant Church in Germany (*Diakonisches Werk*), addresses the issue of prevention in its work with girls and young women in a family context. The Federal Office for Migration and Refugees will increase its support for **violence prevention projects**, particularly projects geared towards the target group of girls and young women with migrant backgrounds.

The Federal Government's Commissioner for Integration publishes a **flyer** for migrant women entitled **“Scene of the Crime: the Family”** (*Tatort Familie*). The brochure provides women who are subject to domestic violence with information concerning their rights. It is available in German, English, Turkish, Russian, Serbo-Croatian and Arabic.

The Federal Ministry for Economic Cooperation and Development supports numerous **measures to prevent violence against women and girls**, which are intended to have an effect on the **partner countries** (s. Chapter 10).

**Violence against women** does not end at a certain age, it can continue on until **old age**; partially as a consequence of changes resulting from the illnesses of old age, it sometimes just begins at this point. Persons in need of care and persons providing care – in residential facilities, as well as in the domestic context – are mainly women. People in need of help or care are often very vulnerable and defenceless, and they often have very limited possibilities of seeking help in pursuing a perpetrator. This is also reflected in the findings of research studies.

When considering the issue of violence in relationships involving care, most of the potential perpetrators as well as the victims are women. In order to satisfy the growing need for information, counselling, and help with regard to illnesses related to dementia, particularly Alzheimer's, the Federal Ministry of Family Affairs, Senior Citizens, Women and Youth supports the work of the German Alzheimer Society. This includes information on Alzheimer's disease and the option of contacting the national **"Alzheimer Telephone"** as a source of help for men and women who are dealing with the disease, as well as for their relatives. Further areas of focus are the Internet, help for men and women with dementia who are alone after the loss of a partner, as well as the expansion of the counselling tool.

Prevention also includes ensuring that information on available help is widely publicised. The **Information Exchanges** for women funded by the Federal Ministry of Family Affairs, Senior Citizens, Women and Youth ([www.infoboersen-fuer-frauen.de](http://www.infoboersen-fuer-frauen.de)) will offer opportunities to publicise and establish networks of services available to women affected by violence on the local level.

## 2.2 Law-making by the Federal Government: Legislation and Administrative Regulations

The **Protection against Violence Act**, which came into force on 1 January 2002, is a milestone on the path to improving the legal protection available to persons affected by violence. It also introduced a paradigm shift: Whoever hits, goes. For the first time, it is not the victims who are the object of the measures, but rather the perpetrators. In nearly all of the federal Länder the intervention options at the disposal of the police have improved in its wake. It marked the launch of an effective overall package of protective measures by the federal and Länder governments.

The Federal Ministry of Justice commissioned an **accompanying study** shortly after the law came into force which included interviews with victims. It was intended to determine whether the Violence Protection Act had proved effective in actual practice. The final report on the evaluation was published in 2005. The results show that there was indeed a need for the Violence Protection Act and that the provisions it contains have been successful. The new provisions have proved particularly effective in dealing with cases of domestic violence and have, for the most part, been positively assessed.

However, the evaluation also clearly indicates that there is still room for optimisation in everyday practice with regard to the implementation and application of the options created by the new provisions. This is particularly true in cases of **“stalking”**, which for the most part affects women. The definition of the act of stalking as a crime according to the penal code was called for by victims and the public prosecutors' office in order to make stalking directly and specifically punishable by law. The Federal Government addressed this issue: in order to improve protection under criminal law against continued pursuit, harassment and threatening behaviour, the new criminal offence defined by Sec-

tion 238 (stalking) came into force under the penal code on 31 March 2007. The penal provision also foresees an increase in penalties or sanctions in cases in which the perpetrator is responsible for causes the life or health of the victim to become seriously endangered, or causes the death of the victim, a relative of the victim, or any other person close to the victim. These cases are now covered by the amended Section 112a of the Code of Criminal Procedure. This makes it possible to arrest dangerous perpetrators in severe cases in order to prevent serious crimes against body or life.

Further **amendments** are foreseen with regard to the **judicial responsibility for measures undertaken according to the Violence Protection Act**. The evaluation showed that the split in judicial responsibilities, previously in effect, did not always optimally serve the victims' need for a quick decision. In order to improve the protection provided for victims, judicial responsibility for measures undertaken according to the Violence Protection Act shall be concentrated in the family courts.

During the legislative process related to the passage of the Violence Protection Act and the Children's Rights Improvement Act, it was noted that judicial decisions regarding contact between a child and a violent parent must be aligned with court orders passed down for the purpose of protection. The examination of evidence in conjunction with the enforcement of the Violence Protection Act showed that children were living in roughly 75% of the households. In 54% of the proceedings, it was reported that children were affected by violent acts. After examining the evidence in the majority of the proceedings in which measures are undertaken according to the Violence Protection Act, a decision was also made regarding the question of legal guardianship and visiting privileges. Feedback from counselling practice to the Federal-Länder Working Group on Domestic Violence shows, however, that women affected and the counselling agencies



see problems regarding the **alignment of protective measures undertaken according to the violence protection act and the regulation of guardianship and visiting privileges according to laws regulating the relationships between parents and children.**

The Federal Government will monitor the ensuing developments and examine whether additional steps are necessary in order to achieve a viable solution.

With the Child and Youth Service Further Development Act, the Federal Government has adopted a more concrete approach to the protective role of youth services. With the new **Section 8a of the Eighth Book of the Social Code**, which specifies the obligations of professionals working in the field of youth services and provides them with a legal basis, a significant improvement in the protection of children in Germany should be achieved. These include the stipulation that agreements will be reached through which the agencies responsible for financing facilities and programmes in the field of independent youth services will be involved in the fulfilment of the obligation to provide protection. protection - into the agencies responsible for funding public youth services. The Federal Ministry of Family Affairs, Senior Citizens, Women and Youth will **evaluate** the law and, in doing so, place special emphasis on the implementation of the obligation to provide protection.

Children who are affected by parental violence either directly or indirectly, as witnesses, have a great risk of being endangered themselves. With the **draft of an Act to Facilitate Measures by Family Courts in Cases where the Welfare of a Child is Endangered**, the Federal Government is pursuing the objective of increasing the protection available to endangered children. By making corresponding changes in the substantive and procedural provisions with regard to family court proceedings to protect children, a contribution shall be made to ensuring that help and support provided through social workers

and social agencies actually reach the families. Above all, possibilities must be created in order to take earlier and stronger steps to influence parents in order to convince them to make use of the public support necessary for them to regain competence as parents. Thus, the provision in Section 1666 of the Civil Code is also intended to clarify that the family courts will be able to order parents to accept support from public agencies, e.g. requiring the violent parent to participate in anti-aggression training or a perpetrator programme.

In implementing the Second Book of the Social Code (Basic Security for Persons Seeking Employment) specific problems emerged with regard to women who had sought refuge from domestic violence in a women's shelter. One of these problems resulted from the lack of regulations concerning the reimbursement of costs between the various responsible local agencies. In reaction to feedback on this topic from those involved with women's shelters, a system of interim reimbursement for costs has been included in the Code.

In the **evaluation of the implementation of Book Two of the Social Code** women who are affected by violence will also find consideration as a group. The intention of the research project is to provide a thorough analysis of the effects of the implementation of basic support system in terms of equality policy and to provide problem-related and implementation-oriented recommendations for action to eliminate possible deficits.

Germany has extensively reformed the definition of the **criminal offence of trafficking in human beings** in conjunction with the ratification of the supplementary United Nations Palermo Protocol (Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime) and the implementation of the European Council Framework Decision on Combating Trafficking

in Human Beings. Both trafficking in human beings for the purpose of sexual exploitation as well as trafficking in human beings for the purpose of exploiting their labour are now subject to punishment under the penal code. At the same time, **forced marriage** was explicitly introduced into the Penal Code as a very severe case of coercion

The **report by the Federal Government on the Impact of the Act of Regulating the Legal Situation of Prostitutes** which was published in 2007, identified various fields of action for lawmakers and also contains assignments to examine how girls and women can be better protected against violence and exploitation:

- | The Federal Government will examine to what extent the protection of victims of trafficking in human beings and forced prostitution can be improved. In particular, a suitable solution in terms of a regulation on the criminal liability of clients of those forced into prostitution will need to be introduced.
- | In this context the Federal Government will also examine whether the so-called landlord's privilege should be abolished.
- | To better protect young persons against sexual abuse, the age of consent in Section 182(1) Nos. 1, 2 Criminal Code will be raised to 18 years. The Federal Government's draft law on this issue is already being debated in parliament.
- | The Federal Government, in consultation with the *Länder*, will examine whether and, if so, using which trade law instruments it may be possible to more efficiently monitor commercial enterprises providing sexual services. In this context it will be examined whether to require brothels, brothel-like establishments and other establishments to apply for a licence to offer sexual services.
- | The Federal Government will examine how to better support those wishing to leave prostitution through assistance and drop-out programmes and how, possibly, existing models can be promoted and access to training and promotional measures can be made more flexible.

I Prostitution should not be considered to be a reasonable means for securing one's living. It must be ruled out that the Federal Employment Agency offers people work in prostitution. The Federal Government will therefore closely observe whether the Federal Employment Agency's current practice can continue to reliably prevent people being offered jobs in prostitution.

The Federal Government has already begun the implementation of these measures.

The **Act to Reform Mandatory Supervision and to Change the Provisions for Extending Incarceration** which came into force in April 2007 facilitates the monitoring of the day-to-day conduct of released criminals and thereby improves the protection of women and children against sexual predators in particular. Within the framework of mandatory supervision, the convict is assigned to a supervision office for monitoring as well as to a probation officer; the instructions he is given with regard to day-to-day conduct are mandatory. This Act also makes it possible to hand down a restraining order against the convict prohibiting contact; infractions are punishable by law. This makes it possible, for example, to prevent the convicted party from engaging in renewed harassment or threats against the victim of the original crime. Sexual offenders can, under threat of punishment, be prohibited from engaging in contact with children to whom he is not related. Moreover, it is now possible to order the convicted party to present himself to a therapist at certain times. Existing possibilities for outpatient psychiatric, psycho- or sociotherapeutic care, check-ups for patients committed to psychiatric prisons, and for released prisoners, especially through forensic outpatient clinics, were integrated into the legal regulations for probation. This also sent a legislative signal for the creation and expansion of corresponding therapy facilities (forensic outpatient clinics) by the Länder. If the convicted party infringes upon the provisions of the court orders, which are enforced

by threat of criminal punishment, this can result in imprisonment for up to three years (previously: up to one year). Mandatory supervision, which was limited to a maximum of five years before the reform, can be prolonged in the case of convicted sexual predators under certain conditions for an unlimited period of time.

The prosecution of traffickers in human beings is dependent upon the victims' receiving proper advice and support and their being available as witnesses during criminal proceedings. Competent, specialised counselling agencies to support the women in a professional manner are, therefore, essential.

The European Council Directive 81/2004, of 29 April 2004, on the residence permit issued to third-country nationals who are victims of trafficking in human beings or who have been the subject of an action to facilitate illegal immigration, who cooperate with the competent authorities (Victim Protection Directive) stipulates special **protection for victims of trafficking in human beings who are willing to co-operate with the authorities**. Both the legal framework for granting residency permits as well as the stipulations of social law play a role in the implementation in the national context.

With regard to residency permits, this guideline will be implemented through the **Act for the Implementation of the Residency and Asylum Guidelines of the European Union**. It will result in the following changes for victims of trafficking in human beings: The Residence Act foresees, in addition to a period of consideration of at least one month during which the victim can recover from the effects of the crime(s) and reach a decision regarding cooperation with the authorities responsible for criminal prosecution, a limited-term residency permit for the victims of trafficking in human beings who cooperate with the authorities responsible for criminal prosecution and whose testimony as witnesses required in criminal proceedings. The victim is provided

with support in accordance with the Act on Benefits for Asylum Seekers both during the period of consideration as well as during the ensuing period of residency. This includes room and board as well as medical care. The Foreigners Authority fulfils its duty in informing the victim of the valid regulations, particularly with regard to their legal status as foreigners, as well as concerning programmes and measures for victims, including support available through specialised counselling agencies.

After the Immigration Act came into force on 1 January 2005, and its impending amendment through the Act to Implement the European Union Residential and Asylum Rights Guidelines, a **reform of the administrative regulations regarding the Residency Act** is now scheduled. In this conjunction the special needs of the victims of trafficking in human beings, forced marriage, domestic violence and gender-specific persecution will be taken into account.

Many of the victims of trafficking in human beings are traumatised as a result of the violence they have experienced and, therefore, not able to be inducted into the regular witness protection programme. The Federal-Länder Working Group on Trafficking in Women has therefore developed a special protection programme for the victims of trafficking in human beings, which is based on cooperation between the police and specialised counselling agencies. Without the professional support of the specialised counselling agencies, the police are seldom able to secure statements from the victims that can be used in prosecution. The specialised counselling agencies underline the fact that they are dependent, in this context, on establishing a stable confidential relationship with the person they are supporting and caring for. This requires that they are not obliged to reveal any of the information entrusted to them in court. The question concerning the **right to refuse to testify** on professional grounds is currently under discussion in the Federal-Länder Working Group.

It is now the goal of the Federal Government to prevent forced marriages and to examine all of the suitable instruments that can be used for this purpose. The objective will be addressed within the context of the Federal Government's National Integration Plan.

The **Federal Government's Act for the Implementation of the Residency and Asylum Rights Guidelines of the European Union** foresees regulations that would make the right of a spouse to enter the country in order to join a partner living in Germany contingent upon both partners' being at least 18 years of age, and the ability of the spouses entering the country to express themselves in at least rudimentary German. The Federal Government is thereby pursuing a preventive approach to impeding forced marriages; as a result of their higher age and better language skills, women will be better protected against coercion and exploitation.

The Federal Government will examine whether, and if so how, the possible return of foreign women and girls who were abducted in order to force them into a marriage can be facilitated.

## 2.3 System of Aid to Support and Provide Counselling for Women Affected by Violence

The representative study of the "Health, Well-Being and Personal Safety of Women in Germany" showed that: Women are affected by various types of violence, they do not conform to a uniform profile as victims, they come from various social strata, and their living situations are very different. Consequently, their needs with regard to help, support and protection are not uniform. What is needed is a broad range of support systems including women's shelters, flats that provide refuge, hotlines, women's counselling services and intervention agencies. More general counselling agencies – such as facilities

for marriage and family counselling – are also sought out by women affected by violence. What is important in this conjunction is that the women's counselling agencies, hotlines and women's shelters correspond with the needs of disabled women in terms of access and design.

New counselling services that actively reach out to women – such as the Intervention Agencies in Mecklenburg-West Pomerania and Lower Saxony or mobile counselling in Berlin – have been particularly well accepted by women and make an important contribution to their protection. They are an important addition to the existing facilities, but they are not a substitute. The new legal options available to women who have been affected by violence have led to a greater need for counselling. In this conjunction, everyone involved in the system of providing help and support is called upon. Both the studies, and the feedback from day-to-day practice, show that in addition to the opportunities offered by the Violence Protection Act, many women, along with their children, are dependent upon finding protection and security in a women's shelter.

Interviews with those affected have shown that too many victims are not reached by the existing network, or are reached too late. There is a need for low-threshold, easily accessible and anonymous counselling. This is particularly true of women faced with particular impediments to making use of existing services for a variety of reasons, e.g. migrant women, disabled women, victims of trafficking in women, girls who are threatened by forced marriage or genital mutilation. The Federal Government is therefore currently examining the establishment of a **national hotline**, intended to provide initial counselling and referral for all types of violence against women. In cases of more extensive need, referrals will be made to local organisations and contacts. This type of hotline is intended as an additional service that is to be optimally integrated into an existing network of support facilities.



People from the immediate social context of women affected by violence represent an important target group for this type of national hotline. Studies have shown that **people from a woman's social environment** are, in addition to doctors, often the first people contacted by a woman affected by violence. In order to encourage and support such people in providing help for victims of violence, they shall also be able to use the services of the planned hotline. In addition, **special materials** are to be developed for this target group.

Moreover, the Federal Government will observe **further innovative approaches in an international context** in order to improve the access on the part of women affected by violence to the system of help and support, and to assess the applicability of these approaches to the situation in Germany.

Violence is one of the central health risks for women. This was internationally documented by the Report of the World Health Organisation in 2002. The German Representative Study also showed: most women suffer physical or psychological injuries at least once in their lives; all forms of violence are connected at least in part with grave health, psychiatric and psycho-social consequences. Optimal medical care for women affected by violence, by making access to the services of the health care system easier, is therefore an important issue for the Federal Government.

The field of health care, and here especially doctors as a professional group, also plays a key role in terms of the institutional aid sought by women out in and after violent situations. The Federal Ministry of Family Affairs, Senior Citizens, Women and Youth therefore financed the scientific monitoring of the health care intervention programme with regard to hospitals. The complex role that doctors play in improving the situation of women who have been affected by violence will also be addressed in a new project focusing on **individual doctor's practices**.

The Federal Ministry of Health will support a project with the objective of **protecting women with disabilities and chronic illnesses** against violent attacks. The goal is to empower women affected by violence, to make the doctors, nursing personnel, and other care-givers more aware, and to support a self-help organisation to act as a representative of the political interests of disabled women.

The General Act on Equal Treatment, which came into force on 18 August 2006, replaces by virtue of its comprehensive provisions for protection against sexual harassment in the workplace, the Employees Protection Act. The Federal Anti-Discrimination Office, established by the Federal Ministry of Family Affairs, Senior Citizens, Women and Youth, independently supports victims of sexual harassment in seeking to enforce their rights.

Some of the measures cited in the chapter on prevention also encompass elements of aid, hence they can also be viewed as aid measures to support and provide counselling for women affected by violence.

## 2.4 National Networks in the System of Aid

In the Action Plan of 1999, the Federal Government provided considerable support for the development of a national network of facilities to provide help. The establishment of national networks is not only decisive for the flow of information and lobbying. The networks also serve to ensure the quality and to further the development of professional standards in the facilities. They provide a voice for their member organisations, as well as for the women who are affected. The Federal Ministry of Family Affairs, Senior Citizens, Women and Youth therefore financially supports the **national network of women's shelters (Women's Shelters Coordination Association (*Frauenhauskoordination e. V.*), the Women's Counselling Agencies and Women's Hotlines (*Bundesverband Frauenberatungsstellen und Frauennotrufe***

– *Frauen gegen Gewalt e. V.*) as well as the **German nationwide activist coordination group combating trafficking in women and violence against women in the process of migration** (*Bundesweiter Koordinierungskreis gegen Frauenhandel und Gewalt an Frauen im Migrationsprozess e. V.*). The first phases of support have clearly shown that the national networking offices have developed into central partners for government institutions on various levels. Policymakers and administrators profit from the expertise of these institutions, while they also provide insight into the reality of the situations of those affected. At the same time, important information can be channelled into the system of aid through the networking agencies.

Women with disabilities joined together to form networks in the early 1990s. This led to the establishment of a registered non-profit association called “Weibernetz – Federal Network of Women, Lesbians and Girls with Disabilities), which has established itself as the lobby for disabled women on a national level. The Federal Ministry of Family Affairs, Senior Citizens, Women and Youth supports the **Weibernetz** project “**Representing the Political Interests of Disabled Women**”. During the “European Year of Equal Opportunities for All” in 2007, the association extended an invitation across Europe to a networking conference in order to establish a European network of disabled women.

Through **networking meetings** that bring together representatives of support facilities in the field of violence against women, the further development of quality standards, professional counselling and support work is supported by the Federal Government.

## 2.5 Cooperation between Governmental Institutions and Non-Governmental Support Agencies

The research that has accompanied the intervention projects to end domestic violence against women has confirmed the importance of inter-institutional cooperation between the various responsible authorities, and structures of aid are in solving such complex questions that effect society as a whole. Cooperative coalitions have led to an improvement in intervention practice and have illustrated the need for lawmakers to act; and this is also reflected in the Violence Protection Act, the amendments to the police laws, and the amendments to various books of the Social Code. The reciprocal improvement of qualifications that results from this cooperation, leads to an increased sense of responsibility in dealing with those affected.

It is important that this cooperation is sustained on all levels (local, regional, Land and federal). The processes that were introduced require ongoing management and adaptation to the changes that they bring about, as well as to the needs of those affected.

On the federal level, the **Federal Working Groups against Domestic Violence and Trafficking in Women** under the leadership of the Federal Ministry of Family Affairs, Senior Citizens, Women and Youth will continue their work. In these groups, ministries on the federal and Länder levels, the Federal Criminal Police Office, and non-governmental agencies are all represented. They monitored and supported the implementation of the First Action Plan and they will also participate in the implementation of the Second Action Plan.

Federal working groups have, in the meantime, also been established on other aspects related to combating violence against women and children.

Representatives of the federal, Länder, and local governments, as well as non-governmental organisations, are members of the **Federal Working Group for the Protection of Children and Adolescents against Sexual Abuse and Exploitation** under the leadership of the Federal Ministry of Family Affairs, Senior Citizens, Women and Youth. The group steers and coordinates the process of implementing the corresponding Action Plan and works continuously towards the further development of additional measures and projects.

A **steering committee and working groups on the National Action Plan “For a Germany Fit for Children 2005–2010”** supports the implementation, monitoring and evaluation of this Action Plan. This National Action Plan addresses national and international issues (including development policy). Government institutions cooperate in the working groups along with other nationally and internationally operating institutions and non-governmental organisations.

In other fields, such as development policy and crisis prevention, a number of proven forms of cooperation between the Federal Government and non-governmental organisations already exist. Thus, non-governmental organisations are regularly involved in the work of the Federal Government in the **Field of Civil Crisis Prevention** through an advisory board that convenes regularly. More emphasis is being placed on the protection of women against sexual violence in conflict situations. Projects in this field include concrete measures to protect and support victims, measures to curb violence that is fuelled by local social structures, and measures for prevention. The expertise of non-government organisations is extensively integrated into the design of projects and at conferences.

In the struggle against the practice of female genital mutilation, which is traditional in 30 countries in Africa and in some countries in Asia, and which has also reached Germany through the migration

of labour and refugees, the **German government's developmental cooperation efforts** are aligned in cooperation with the efforts of the non-governmental organisations within the **"Integra" network**. The model approaches in governmental and non-governmental development work that emerged from this cooperation for the purpose of **ending genital mutilation** were discussed in December 2006 at a conference on "Ending Genital Mutilation: Experience from Africa and Europe – Perspectives for Germany" organised by the Deutsche Gesellschaft für Technische Zusammenarbeit (German Society of Technical Cooperation) on behalf of the Federal Ministry for Economic Cooperation and Development; it brought together a broad field of experts from governmental and social organisations in Germany who are active in working against genital mutilation. The federal ministries responsible for policy in this area have entered into the process and are evaluating the recommendations for action that were drafted at the conference in Berlin. At the initiative of the **Federal Ministry for Economic Cooperation and Development**, they are currently discussing how the **cooperation between various parties active in this context in Germany** can be made even more **consistent** than it has already become within the "Integra" network. The goal is to achieve a sustainable breakthrough in the struggle against genital mutilation under the migrant women living in Germany.

The establishment of cooperative bodies on other important aspects of combating violence against women, on which there has thus far been no institutionalised cooperation between Federal Government, the governments of the Länder, and non-governmental organisations must also be examined.

The **Integration Summit** led to an extraordinary form of cooperation between various individuals and groups active in this field and resulted in a **National Integration Plan**. In July 2006 the Integration Summit took place at the invitation of the Federal Chancellor. The

topic of integration was subsequently dealt with in a number of working groups, in which representatives of the federal, Länder, local governments, as well as non-governmental organisations, cooperated. The working group on “Improving the Living Situation of Women and Girls, Realizing Equality” (*Lebenssituation von Frauen und Mädchen verbessern, Gleichberechtigung verwirklichen*), which was coordinated by the Federal Ministry of Justice, is concerned with topics that are of particular importance for the integration of migrants. The results of the working groups were brought together in the National Integration Plan, which was presented in July 2007. It contains pledges of action on the part of the federal, Länder, and local governments and the participating non-governmental organisations. These also include measures to improve protection against violence in the domestic context and against forced marriage. The **implementation** of the National Integration Plan will also require the dedicated involvement of diverse levels and agencies.

## 2.6 Work with Perpetrators

Addressing perpetrators is an important building block, particularly in early intervention to end violence against children and women.

**Perpetrator programmes within the context of intervention projects against domestic violence** are a relatively new and innovative field of work in Germany and have developed dynamically. The work with perpetrators comprises measures that are expressly and structurally geared towards dealing with violent acts by men against their (ex-) partners. The inclusion of work with perpetrators in the efforts mounted by cooperative coalitions against domestic violence has been continually increasing. A very few facilities can, in the meantime, look back on a number of years of experience offering social training courses within the context of intervention projects. Many others are, however, just beginning.

The conceptual design varies in the individual programmes. The participation in perpetrator programmes as a result of court orders has been growing in importance. The greatest practical relevance at present results from stipulations and orders determined by public authorities or prosecutors in cases where proceedings are temporarily suspended under the provisions of Section 153a of the Code of Criminal Procedure. The procedure and criteria for deciding upon such measures is dealt with differently by individual authorities. If a perpetrator appears to be eligible, he is granted the option of participating in a perpetrator programme. If he agrees and completes the programme, in most cases no further sanctions follow. If a perpetrator interrupts his participation or is excluded from the programme, charges are to be brought against him. The participants who enter the programme on court orders are, as a rule, suspects in preliminary investigations in connection with charges of bodily harm.

The results of the research conducted to accompany the intervention projects against domestic violence in Germany (WiBIG Study) confirm that work with perpetrators within the context of intervention projects is indeed an effective measure in dealing with violent men. Roughly two-thirds of the men who began such programmes also completed them. Perpetrators who took part in a perpetrator programme as the result of a court order or stipulations were significantly more likely to complete the programme than participants with no court background. Men who have become violent towards their partners are seldom inclined to register themselves at facilities that offer measures to change the behaviour of this target group of their own accord. Often this is precisely the reason why external pressure is required for them to participate in a perpetrator programme.

There are also indications of the fact that perpetrator programmes can bring about modifications in the behaviour of participants which can result in a reduction in physical violence against their partners. Consequently, work with perpetrators is an effective supplement to



the other measures and programmes against domestic violence, provided the work adheres to specified quality standards.

It is important to the Federal Government that qualified perpetrator programmes are offered nationally and that use is made of them in all suitable cases.

Recently, a **Federal Working Group for Perpetrator Work in Cases of Domestic Violence** was established; it is currently drafting **national quality standards** for work with perpetrators. The Federal Ministry of Family Affairs, Senior Citizens, Women and Youth supports this project and funds the corresponding networking meetings.

In contact with the Federal Working Group for Perpetrator Work in Cases of Domestic Violence, the Federal Ministry of Family Affairs, Senior Citizens, Women and Youth is also attempting to identify further concrete projects, including the **development of curricula** for work with perpetrators in order to appeal to men's sense of responsibility as a father, and for work with men with migrant backgrounds.

Through **co-financing**, the Federal Ministry of Family Affairs, Senior Citizens, Women and Youth is funding **special EU projects** for work with perpetrators.

## 2.7 Qualification and Increased Awareness

Violence against women is an issue that affects many different disciplines and departments. Health care staff, the police, the justice system, the women's aid system, youth services, the foreigners authorities, the labour placement system, social administrators and services providing general counselling on life, marriage and family, schools and child-care facilities are called upon in their special areas of com-

petence and are required to cooperate in concrete cases. However, there is often a lack of expertise in the field of violence, of experience in dealing with victims of violence, and of structures for cooperation.

A qualified approach by various experts requires that there is a consciousness of the problem of violence against women as well as recognition of the necessity of coordinated approaches. Hence, cooperation and intervention projects focus on developing corresponding programmes for ongoing training. Particularly with regard to the police, regular specialised training programmes on all levels have led to very good results in terms of dealing with this issue professionally. In addition to highly differentiated information and ongoing training options, mandatory training programmes and the anchoring of the issue of violence against women into regular and ongoing training programmes for a variety of professions are now being more strongly emphasised. It is important, however, that the participants in such measures are not limited to those few who were already interested in the topic. It is not only important to reach all of the professional groups that deal with violence against women in their work, but also to reach as many members of these professions as possible. Hence, participation in relevant qualification measures should be mandatory in many areas and seen as an aspect of professional life.

The **German Judges Academy** (*Deutsche Richterakademie*) – an institution that provides ongoing training for judges and public prosecutors from all over Germany, and which is financed by the federal and Länder governments – regularly offers ongoing training courses dealing with the topic of violence against women. In 2007, **conferences** were held on such topics as “Violence in the Family – aspects of family and penal law, stalking and child abuse”, “International Trafficking in Human Beings”, “The Treatment of Victims of Sexual Violence within Criminal Proceedings, particularly Children/Adolescents” and “Questions of Victim Protection”, they also considered problems of violence

in families from other cultural contexts. Moreover, the conference “Law, Violence and Aggression” is regularly staged, in which the focus shifts to various topical manifestations of violence – for example in the family or against women.

In the future, the Federal Ministry of Justice will continue, particularly within the programme conference of the German Judges Academy, to promote **measures to raise the awareness and improve the qualifications of judges with regard to the topic of domestic violence, particularly the application of the Protection against Violence Act.**

The Federal Ministry of the Interior intends to examine the results of the research project conducted by the Land Criminal Police Office of North Rhine-Westphalia on the “**Evaluation of Measures to Prevent the Escalation of Violence in Partnerships**” within the context of a **working group in order to assess their uniform applicability in the field of police activities nationwide**, and to expand upon them.

On the topic of combating trafficking in women for the purpose of sexual exploitation, the Federal-Länder Working Group on Trafficking in Women has developed a **Working and Recommendation Paper for Standardised Training and Ongoing Training** in the field of trafficking in human beings, as well as a **brochure and flyer on Claiming Benefits under the Victim Compensation Act**. These papers will be published and made available to professionals in the field.

The Federal Ministry of Family Affairs, Senior Citizens, Women and Youth will also fund the publication of the **book entitled “Frauenhandel in Deutschland”** (Trafficking in/Activities by women in Germany) which is to be published by the National Coordinating Group against Trafficking in Women and Violence against Women in the Migration Process; it will include a survey of diverse aspects of combating trafficking in women in Germany for experts in the field of policy and

administration, academia and non-governmental organisations, as well as for interested members of the general public.

The Federal Criminal Police Office, in cooperation with the Federal Ministry of Family Affairs, Senior Citizens, Women and Youth, will develop a **guideline for dealing with traumatised victims of trafficking in human beings and forced prostitution**. It is intended to raise awareness and to contribute to the specialisation of police and personnel in the justice system and the staff of foreigner and social services offices in order to help them to recognising and competently deal with traumatised victim witness of trafficking in human beings for the purpose of sexual exploitation.

Within the context of training programmes for **“Employment Oriented Case Management”**, the **Federal Employment Agency** is currently drafting plans for the ongoing training of its employees in a mandatory module of presumably 18 hours on “Gender as a Field of Action”. Topics dealt with in the training sessions will include the living situations of women threatened by violence, the possibilities of placement in a women’s shelter, as well as the related legal and financial questions.

**Increasing the awareness and qualifications of medical personnel particularly in conjunction with inpatient care** is the goal of the S.I.G.N.A.L. Intervention Programme to combat Violence against Women. The central building block in this programme is a measure for training doctors and nursing staff. In order to support the national expansion of the programme, the Federal Ministry of Family Affairs, Senior Citizens, Women and Youth supports various **implementation measures**. Among these are the handbook to accompany the S.I.G.N.A.L. Programme, materials for implementing the programme, and a curriculum for ongoing training in “train-the-trainer” seminars, which are also financed by the Federal Government in order to train teaching staff in the field of health care.

The **new project for doctors in private practice** (s. p. 41), which is currently planned by the Federal Government, will also include building blocks for the qualification of this important professional group.

The Federal Ministry of Health also addresses the topic of the “Effects of Domestic Violence on Health”. Within the framework of the Federal Government's **Health Monitoring System**, the Robert-Koch Institute will produce a brochure dedicated to the topic in 2008. The Federal Ministry of Health and the German Medical Association are preparing a joint **conference on the topic of the “Effects of Domestic Violence on Health”** for autumn 2007, which is to address doctors, medical personnel and others involved in the system of care. The objective is to improve the care of women affected by violence and to circulate information on examples of good practice in the health care system. The results of the expert opinions drafted for the planned brochure on the “Effects of Domestic Violence on Health” will be presented at this conference.

The Federal Ministry of Health will also develop **measures** through which the topic of **violence against women with disabilities** can be addressed and both **those affected and the public in general can be made more aware of the issue**.

Women who are affected by **genital mutilation** must be treated in accordance to their degree of suffering and their symptoms by doctors in a socially, psychologically and medically competent manner. This also includes counselling for mothers with regard to their new-born daughters. In response to a suggestion by the Federal Ministry for Health and an initiative by the German Medical Association, “**Recommendations for Treating Patients after Female Genital Mutilation**” were drafted and published. The Federal Ministry of Health has also published the recommendations on its Internet site in English and French, as well as in German, and also circulates them through such

channels as the online databank “Women’s Health and Health Promotion” (*Frauengesundheit und Gesundheitsförderung*) maintained by the Federal Centre for Health Education. The board of the German Medical Association also passed a decision to develop a curriculum for the ongoing training for doctors with regard to female genital mutilation.

The Länder are responsible for ensuring that doctors receive additional and ongoing training. According to the Basic Law, the Federal Government is responsible for the regulation of the initial training of doctors and for providing the framework for this training.

The **agencies providing family related counselling** supported by the Federal Government, particularly marriage, family and life counselling, the counselling of parents, children and adolescents, as well as of pregnant women, and counselling in pregnancy conflict situations will now work to make their counsellors more aware of the issue of violence against women within the framework of their additional and ongoing training programmes.

The state regulations regarding course hours for professional training and examinations under the Federal Government’s **Act on the Care of the Elderly**, stipulate that the topic of “Violence in Care”, which mainly affects women as carers and as recipients of care, is to be dealt with as part of the theoretical and practical instruction. This field of learning specifically addresses the following individual aspects: Definitions and forms of violence in geriatric care, possible explanations, the presentation of factors that promote or prevent violence, the presentation of forms of violence against older people, e.g. in the family or in care facilities, help against the use of violence, and approaches to reducing violence. It should also be made clear that tensions in the relationship between the care-giver and care-receiver can also result from aggression, violence and sexual harassment on the part of the receiver towards the giver; a suitable means of dealing with this, and possible solutions to the problem should also be learned.

The Federal Ministry of Family Affairs, Senior Citizens, Women and Youth plans an update of the extensive **ongoing training materials for general and specialised counselling agencies** for which it provides funding on the topic of violence against women.

In conjunction with the national networking agencies, the Federal Ministry of Family Affairs, Senior Citizens, Women and Youth will also conduct further measures to raise the awareness of the general public. A **media package on the work of women's shelters** and a **brochure for relatives and friends of women affected** are currently being examined.

With regard to a **code of behaviour for the deployment of the Federal Armed Forces** (*Bundeswehr*), the following measures are being conducted by the army for the purpose of prevention and education: within the framework of the training of soldiers, particularly of officers, and in preparation for deployment on missions, **human rights questions** are extensively discussed, including the topics of "Criminality and the Spread of Prostitution". The training in preparation for deployment on missions to prevent conflicts and to overcome crisis is an essential element in the training of all soldiers. The issue of trafficking in human beings is a topic dealt with in the national training programme for officers within the context of preparation for deployment on missions. Military officers are required to provide the soldiers under their command with information on all relevant topics and are obliged to monitor the implementation of and adherence to valid directives and regulations.

The Federal Ministry of Family Affairs, Senior Citizens, Women and Youth and the Federal Ministry of Justice are publishing a **brochure entitled "More Protection against Violence"** as part of their public information campaign in conjunction with the **Violence Protection Act**, this will contribute to the protection of victims by educating the public.

In addition, national professional meetings and conferences will also be funded.

Projects that address the general public are also important measures for improving qualifications and raising awareness even beyond professional circles. Hence, the Federal Ministry of Family Affairs, Senior Citizens, Women and Youth supports the **national public relations campaign** mounted by the Federal Association of Women's Counseling Agencies and Hotlines "Standpoints 2007 – for a life free of violence for women" and the "Domestic Violence is not a Fate" (*Häusliche Gewalt is kein Schicksal*) campaign by the German Catholic Women's Organisation (*Katholischen Frauengemeinschaft Deutschland*).

The measures cited in the chapter on prevention also include some elements of additional and ongoing training and are thus to be seen as measures for attaining qualifications.

## 2.8 Research

Research on the topic of violence against women is essential in order to fill gaps in our knowledge regarding the extent, forms, causes, background and consequences of violence, and to provide an empirically founded scientific basis for the development of effective and realistic measures to support the women affected, as well as to make perpetrators of violence accountable for their deeds.

The representative survey on "Health, Well-Being and Personal Safety of Women in Germany" contains important data, assessments and, thereby, also findings related to violence against women; they should be used to develop targeted concrete measures to further improve the situation of women affected by violence. Currently, some data in the **representative survey** has yet to be assessed. The Federal Ministry of



Family Affairs, Senior Citizens, Women and Youth is therefore planning various **secondary-analytical assessments**, on such topics as the **severity** of domestic violence, **risk and protective factors**, the **need for help** on the part of the women affected, and on the effects on health. The planned assessments also encompass a comparative analysis of the **health situation of migrant women** and non-migrant women in Germany and will include a survey of possible connections between health problems, migrant background, psychosocial situation and subjection to violence inside and outside of the home.

There are no reliable, representative data available on violence against women with disabilities in Germany and no research studies. Moreover, charges related to violent attacks within facilities for people with disabilities have seldom been pressed and are still rarely pressed. For this reason, the Federal Ministry of Family Affairs, Senior Citizens, Women and Youth plans a research study of violence against women with disabilities.

The topic of **forced marriages** has been more prominent in public and parliamentary debate since it was placed on the agenda by women's rights organisations. Forced marriage represents a serious violation of human rights which must be punished. A differentiation must be established between forced marriage and arranged marriage according to traditional patterns. There are no reliable qualitative and quantitative analyses on the topic (s. p. 8). In order to improve the situation with regard to the data and scientific research, the Federal Ministry of Family Affairs, Senior Citizens, Women and Youth has commissioned a **study to evaluate the work that has been done in actual practice in conjunction with forced marriage**. In addition, a **reader** on the topic is being prepared in cooperation with the German Institute for Human Rights (*Deutsches Institut für Menschenrechte*), which will also provide interim results from the evaluation of the experience with actual practice. The contributions are to specifically address phenom-

ena and causes of forced marriage, aspects of the gender dimension, the legal framework conditions, and possibilities of prevention and intervention.

Questions concerning **sexual violence among adolescents** were included in the **representative survey of youth sexuality** commissioned by the Federal Centre for Health Education. Girls and boys between the ages of 14 and 17 years of age were interviewed along with their parents. The study of youth sexuality will be repeated regularly and will continue to include questions on the topic of violence.

There is still very little data on the experience of **criminality and violence among older people**. The **study called “Criminality and Violence in the Lives of Older People”** was commissioned by the Federal Ministry of Family Affairs, Senior Citizens, Women and Youth in order to shed light on this field and include detailed consideration of the relative level at which men and women are affected. The subject of the study is the everyday context in which older women and older men live, as well as how they become victims in close – or at least for the victim important – social relationships. This study will also focus on areas of life that were not given sufficient consideration in earlier studies; one of these is the increasingly important area of domestic care for older people. An interim report on the study is already available.

The need for help and care, due to advanced age, is a problem that affects mainly women. In the face of a rising proportion of older people with dementia, and a simultaneous decrease in opportunities for caring for people within the family, the system of providing aid is growing in importance. The Federal Ministry of Family Affairs, Senior Citizens, Women and Youth is therefore funding a **long-term study of the strain on relatives caring for people suffering from dementia** (*Längsschnittstudie zur Belastung pflegender Angehöriger von demenziell Erkrankten – LEANDER*). The goal of this study is to ensure the

quality of the support and advice available to relatives providing care. The results are to be presented in a handbook that will provide insight into the experience of those involved in day-to-day practice and serve as a guide for people providing care.

Most of the people suffering from dementia are also women. The use of measures to restrict patients' freedom of movement is one of the more controversial forms of intervention in treating restlessness, inclination to fall and behavioural disorders in dementia patients. The Federal Ministry of Family Affairs, Senior Citizens, Women and Youth has therefore funded a **model project on the "Reduction of Fixation in Proximity to the Body for Dementia Patients in Homes"** („*Reduktion von körpernaher Fixierung bei demenzkranken Heimbewohnern*" – *ReDuFix*). In the location where the model project was conducted, a significant reduction in the use of constraints, and a reduction in the length of time that people were constrained, could be achieved. Accidents and injuries did not, by contrast, increase while this project was being carried out. It was also possible to avoid an increase in the use of psychopharmaceuticals. Since professionals expressed an extraordinary level of interest in this project, the results were published as a handbook. They will be implemented nationally in cooperation with the Länder.

The **results of the research** will be **published** in full, and will provide an important basis and additional materials for training and qualification measures.

## 2.9 European and other International Cooperation

In recent years, the issues of violence against women, violations of the human rights of women, and discrimination against women have be-

come increasingly important in the international context. Institutions, advisory bodies, and Special Rapporteurs were established, reports were and will be filed, comparative studies executed, and international conferences and professional symposia have been held on all levels.

Germany plays an import role in this international cooperation and often plays a pioneering role in adopting various measures; this also includes the Action Plan.

### a) European Union

The European Union (EU) has been devoting extensive consideration to the issue of violence against women for several years. Currently, the goal of combating violence against women is a component of the **European Commission's "Roadmap for equality between women and men (2006–2010)"**. It cites six areas on which future European measures to promote equality between women and men need to focus, one of these is the elimination of all forms of gender-related violence. One of the central measures will be the development of an extensive and coherent EU strategy for assessing criminality and prosecution. By 2008 there should be a common EU framework for **indicators and data collection in the field of violence against women** as well as **common indicators for domestic violence**.

Combating trafficking in human beings is an issue of particular importance within the fields of justice, freedom and security in the EU. Regarding this topic, the Framework Decision of the European Council dated 19 July 2002 should be cited; it was implemented in Germany through the 37<sup>th</sup> Amendment to the Penal Code dated 11 February 2005. As a result, the previously valid definitions of the criminal offences related to trafficking in human beings were redefined and expanded to specifically include trafficking in human beings for the purpose of exploiting labour. What is most important for the victims is the European Union directive 81/2004, dated 29 April 2004, regulating

the granting residency titles to citizens of third party countries who were victims of trafficking in human beings, or to persons to whom aid was provided for the purpose of illegal immigration, and who cooperate with the responsible authorities (s. p. 37). On 2 December 2005 the European Council passed the **EU Plan on best practices, standards and procedures for combating and preventing trafficking in human beings**, which will be implemented both by the European Commission as well as by the member states. The EU strategy to assess criminality and prosecution, which is to be developed within the framework of the EU Commission's "Roadmap for equality between women and men (2006–2010)", also foresees the drafting of **guidelines to assess trafficking in human beings**.

The Federal Criminal Police Office conducts **special training programmes** for administrative personnel working for the police in the countries where most of the victims and perpetrators of trafficking in human beings for the purpose of sexual exploitation originate; staff members from specialised counselling agencies regularly participate in these programmes. These training measures have already been conducted in Russia, Lithuania, Latvia, Belarus and Romania and will be continued in the future.

The EU has increased its dedication to combating sexual harassment in the workplace. This form of sexual harassment is now considered a form of discrimination as defined by the European guidelines for the realisation of the basic principles of equality; legal measures were implemented correspondingly in Germany through the **General Act on Equal Treatment**. The **Federal Anti-Discrimination Office**, which was established by the same law, supports women who seek to defend themselves against sexual harassment in the workplace.

The topic of violence against women and injuries due to violence also plays a role in **accident prevention**. On the EU level, **recommendations on the prevention of accidents and to promote safety** were

passed in May of 2007. These recommendations thematically encompass the prevention of accidents and injuries of all kinds. This also includes injuries due to violence. The central topic of the recommendations is the development of representative instruments to monitor and report injuries. It should lead to an improvement of the data available on risks of injury and the effects of preventive measures in the member states and on the EU level.

The European Commission not only pursues its goals through legislative measures, but also through various programmes that provide financial support for projects. The **Daphne Programme** is of particular importance in fighting violence against women; it finances measures **to prevent and combat violence against children, young persons and women as well as to protect victims and endangered groups**. Currently, the “Daphne III” programme is in effect for the funding period from 2007–2013. The Federal Government ensures **co-financing** for eligible German project proposals.

The year 2007 was declared the **“European Year for Equality for All”**. Throughout the year, **activities** are going to be staged on the European level and in the member states against the discrimination to which certain people are subjected on grounds of their race or ethnic background, their religion or beliefs, their age, their sex, their sexual orientation or a disability.

Under the German EU Council Presidency, the **Communication from the European Commission on “Gender Equality and Women Empowerment in Development Cooperation”** was passed. Of central importance in this conjunction are the binding provisions for the Commission and the member states on gender mainstreaming and the promotion of women in developmental cooperation. In it the Council underlines the importance of joint action against gender-specific violence. The member states and the Commission are called upon to adopt measures to support women who are especially endangered.

## b) Council of Europe

The Council of Europe has been dealing with the overall problem of violence against women within the context of human rights issues for quite some time. On 27 November 2006, a major **campaign to combat violence against women, including domestic violence**, was launched. One of the specific goals of the campaign was to mandate the member states to adopt concrete measures to combat violence against women and to draft corresponding plans of action. The Federal Government actively participates in this Council of Europe campaign.

The **Council of Europe Commissioner for Human Rights** has also made the topic of violence against women one of the focal points of his work and has entered into a dialogue with the Federal Government, the governments of individual Länder, and German non-governmental organisations in this conjunction.

Combating trafficking in human beings is also a topic of highest priority in the Council of Europe. This is of primary importance, particularly in light of the membership structure which includes countries of origin, transit countries and target countries of trafficking in human beings. The Federal Government has therefore actively supported the drafting of the Council of Europe Convention on Action against Trafficking in Human Beings and has lobbied actively to ensure that the protection of victims plays an appropriate role. Currently, the Federal Government is preparing the **ratification** and will also play an active role in promoting its implementation. This includes the Federal Ministry of Family Affairs, Senior Citizens, Women and Youth's playing an active role in the regional conferences staged by the Council of Europe to publicise the convention.

### c) Other Forms of European Cooperation

Combating trafficking in human beings is a topic that also concerns other European organisations, while it is the individual countries that see themselves directly confronted with this cross-border crime. These organisations include, above all, the **Council of the Baltic Sea States** and the **Organization for Security and Cooperation in Europe**. In some cases, **special working groups to combat trafficking in human beings** were established or corresponding programmes were launched. The Federal Government is actively engaged in work in this context and has set standards through its structural measures, e.g. the Federal-Länder Working Group on Trafficking in Women, the cooperation concept for police and specialised counselling agencies, the Federal Criminal Police Office's situation reports on trafficking in human beings.

In November 2006, the states of the **Euromediterranean Partnership (EUROMED)**, a partnership between the member states of the European Union and 10 other states around the Mediterranean, adopted a **five-year framework of action "For the empowerment of women in society"**. It requires that the states in the partnership fulfil such obligations as working towards the adoption of measures in the region intended to combat all forms of violence against women and ensuring that corresponding policies, legislation and infrastructures are established. The implementation of the framework of action is to be examined annually by a circle of high-ranking experts from the partner states. A minister conference to **examine the progress** is planned for 2009. The Federal Government will actively contribute to the implementation of the framework of action.

### d) United Nations

Combating the violation of women's human rights, including violence against women, has been an important topic for the United Nations



almost from the moment it was founded. A number of conventions, resolutions and other instruments, particularly those to combat trafficking in human beings, have been adopted in recent years. The **Human Rights Council** and the **Commission on the Status of Women** concern themselves almost continuously with this topic; **Special Rapporteurs on Violence against Women** and **on Trafficking in Human Beings, especially in Women and Children** were named in 2003 and 2004. The topics on which the Commission on the Status of Women focussed in 2007 were the elimination of discrimination and violence against girls and women; this included various forms of violence, particularly forced marriages, domestic violence, sexual abuse of children and trafficking in children and women. A resolution on female genital mutilation has been passed by the Commission on the Status of Women for the first time.

The central legal instrument in recent years has been the **Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime** of 15 November 2000. In this protocol the previous definition of trafficking in human beings, which was limited to trafficking for purposes of sexual exploitation, was expanded to include the exploitation of labour. The convention with its supplementary protocols was ratified in Germany on 1 September 2005 and came into force after the ratification instruments for Germany were deposited on 14 July 2006.

As a member of the Bureau of the Conference of the Parties to the Convention, the Federal Government is involved in the monitoring the implementation of the convention and its supplementary protocol.

The **United Nations Convention on the Elimination of all Forms of Discrimination against Women (CEDAW)**: is the central international human rights instrument for eliminating discrimination against

women. It includes standards for combating discrimination against women in the fields of policy, education, social and cultural contexts, and in legislation. On the basis of periodic national reports, and other sources of information, the Committee for the Elimination of Discrimination against Women (CEDAW-Committee) monitors adherence to the Convention and makes recommendations to the states for further implementing the convention. The member states are expected to report on the progress of legislation in conjunction with the protection of women from all forms of violence, including domestic violence, in their periodic national reports, and to report on measures to eliminate all forms of violence against women and on action taken to protect victims. The Federal Government fulfils this requirement by compiling **periodic national reports**; in 2007 the Sixth Periodic Report will be submitted. The Federal Government will also ensure that references to the Convention are included in the corresponding draft legislation.

The **Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women**, which came into force in international law on 22 December 2000 and has been ratified by Germany makes an important contribution to the protection of the human rights of women. It gives women and women's rights organisations the option of appealing to the CEDAW Committee in cases of assumed violations of the provisions of the United Nation's Women's Rights Convention after all legal avenues in the national context have been exhausted. In addition, the United Nations Committee can launch its own investigations if it sees grounds for assuming that a country that is party to the convention has severely or systematically violated the human rights of women. With the ratification of the Optional Protocol, Germany has underlined its commitment to enforcing measures to realise the objectives of the Convention, the improved protection of the human rights of women. The Federal Government will also take appropriate measures to ensure that the Optional Protocol becomes more widely known.

The **Beijing Platform of Action**, which was adopted at the Fourth World Conference on Women in Beijing in 1995, represents an historic milestone in the formulation and implementation of women's rights worldwide. It focuses on twelve fields of action, including the issue of "violence against women". Its implementation is regularly monitored by the United Nations. Germany has, for the most part, completed the national implementation of the decisions of the Fourth World Conference on Women and the subsequent conferences. One of the areas of political focus was the prevention of violence, corresponding measures were augmented. The Federal Government will continue to promote the implementation of the Beijing Platform of Action and participate in the ongoing process of development.

The **United Nations Security Council Resolution 1325 on "Women, Peace and Security"** adopted in 2000 calls for greater participation and consideration of women in peace processes, special protection of women against violence in periods of crisis and armed conflict, and equal participation within the United Nations. Germany is a member of the **Friends of 1325** and promotes the implementation of the resolution and the recognition of the topic within the framework of the United Nations as well as in other bodies. Hence, Germany participates by submitting a **national statement** during the annual open Security Council Meeting on the implementation of the Resolution. The Federal Government maintains a dialogue with the German civil society both on the implementation of Resolution 1325 and on further aspects of the participation of women in preventing crisis.

The **World Health Organization (WHO)** has addressed the topic of violence and health through various activities. The first World Report on Violence and Health, published in October 2002, illustrates that the causes and consequences of violence are of great importance in relation to the responsibilities of the field of health care. The implementation of the recommendations for action made in the report is the subject of

additional publications by the WHO. In 2004, a report was compiled on the social costs of inter-personal violence and the economic value of anti-violence programmes. In 2005 a world-wide study was published on the health of women and domestic violence against women.

These **publications** have contributed to the **further development of focuses of activities and new projects**. The exchange of information and sharing of experience between various decision-makers in the health care system with regard to the effects that violence has on the health of women will be further developed.

In December 2006, the United Nations General Assembly adopted the **Human Rights Convention on Protection and Promotion of the Rights and Dignity of Persons with Disabilities**. The new convention marked the first time that the rights of the 600 million people in the world with disabilities were determined in a universal and legally binding document. In the negotiations, Germany lobbied especially for the special protection of women as victims of multiple forms of discrimination. Women with disabilities are not only subject to harassment and discrimination, they are also often the victims of violent attacks. The Convention on the Rights of the Disabled expressly recognises the fact that disabled women and girls need to be protected against multiple discrimination, exploitation, and violence. In order to ensure that they are able to equally and fully enjoy all human rights and basic freedoms, gender-sensitive measures are necessary. Germany signed the Convention on 30 March 2007 and is currently preparing its **ratification**.

## 2.10 Measures to Support Women Abroad

In the international context, Germany is also involved in promoting the protection of women affected by violence in their countries of origin and in partner states. In this conjunction, the Federal Govern-

ment promotes the realisation of the human rights of women through its foreign and development policy in a variety of ways. The main protagonists in this context are the Federal Foreign Office and the Federal Ministry for Economic Cooperation and Development.

In filing their reports, the **German missions abroad** include the topic of violence against women, particularly female genital mutilation, in their updates on the local situation with regard to human rights policies. In this context, the foreign missions support projects to combat violence against women in numerous countries, for example in Ethiopia, Burkina Faso, Ghana, Guinea, Yemen, Kenya, Mali, Niger, Tanzania, Sudan and Togo. These measures, which are almost exclusively conducted by local non-governmental organisations, take the form of **educational campaigns** mounted through publications, media and workshops, in order to point out the violations of the human rights and of the human dignity of women in the countries in question. Within the framework of the Federal Government's **Guest Programme**, the Foreign Office supports visits to Germany by high-ranking, international delegations from abroad to consider the topic of "The Role of Women in Society", during these visits the issue of preventing and combating violence against women plays a central role.

Working with intermediary organisations, non-governmental organisations or in a multilateral context, the Foreign Office promotes **local projects to combat violence against women and girls**, especially to create mechanisms and facilities to provide protection, as for example in Jordan and Egypt.

In 2006, a **Turkish project against early and forced marriage** was supported by the German Foreign Office and the German Embassy in Ankara and established by teams from the women's organisation "Flying Broom/Uçan Süpürge". The Federal Ministry of Family Affairs, Senior Citizens, Women and Youth also participated in the project.

Through “Flying Broom”, and other women’s organisations, many Turkish women and girls were provided with information concerning their rights for the first time. There are plans for **further cooperation with non-governmental organisations** in the countries of origin.

In **Germany’s developmental cooperation agenda**, measures to combat violence against women have a high priority. Hence, the Federal Ministry for Economic Cooperation and Development supports the **“Women’s Protection Project”** in Pakistan, for example, with the objective of promoting the application and promotion of measures by governmental and non-governmental organisations for the implementation of the country’s own plan of action against gender-specific violence. In addition to measures for prevention, the plan also foresees the establishment of a functioning system of support for victims of gender-specific violence. In Cambodia, the Federal Ministry for Economic Cooperation and Development supports relevant government agencies and non-governmental organisations in the **implementation of that country’s Violence Protection Act**.

In Bangladesh the **application of laws to support women and girls** is supported. An additional focus of this project is to advise and empower the Women’s and Family Ministry in their efforts to establish a firm legal basis for dealing with questions relevant to women.

Women and girls are also to be protected **from violence with regard to their sexual and reproductive rights**. The support of corresponding programmes through the Federal Government is provided both on **bilateral and multilateral levels**, for example through the cooperation with the WHO and the World Bank.

Women and children are particularly affected by violence against the civilian population in **crisis and conflict situations**. The **integration of gender-specific perspectives and measures** is, therefore, of

central importance for the ultimate success of crisis prevention and conflict management – also with regard to the implementation of UN Resolution 1325.

Hence, the Federal Government always systematically considers the special needs of women in human crisis situations in its **humanitarian aid measures**. Even on the project proposal level, non-governmental organisations are required to provide a detailed report on the target group of humanitarian measures, as well as on the consideration of gender-specific needs in distributing material aid. Gender-specific measures have been an integral part of **training personnel for UN missions** since the beginning of 2006. The German armed forces (*Bundeswehr*) also make an important contribution, by including units on “Sexual Exploitation and Abuse” in its preparatory training courses for the participation of **military personnel** in UN missions. In April 2007, the German EU Council Presidency and the Hungarian Ministry of Defence jointly conducted the first internal EU training session on gender aspects in missions within the framework of the European Security and Defence Policy. The **EU-Checklist** on the implementation of Resolution 1325 in the planning documents for future civilian ESDP missions was completed during the German Presidency, with the “lessons learned” during the missions also having been taken into consideration.

The Federal Ministry for Economic Cooperation and Development supports the implementation of UN Resolution 1325 on many levels. The main instruments used in this context are technical cooperation and Civil Peace Service (*Ziviler Friedensdienst*). Hence, projects and programmes on gender mainstreaming in conflict and post-conflict countries are implemented, women's groups and networks that support non-violent conflict resolution are strengthened, and support is given to projects to provide help in dealing with trauma. The deployment of gender-advisors and human rights observers on **peace missions** is also supported. Consultations with women's groups on the

local, national and international levels are to become a permanent element in the missions; the gender perspective is to be integrated into all of the “needs assessments” conducted by UN organisations.

The **pilot project “mobile peace academy OMNIBUS line 1325”**, which is supported by the Federal Ministry of Family Affairs, Senior Citizens, Women and Youth, contributes to the adoption of a more gender-sensitive approach as a guiding principle for all activities in the field of civil conflict prevention, conflict management, and ensuring peace in the countries in question.

Within the context of the United Nations, the Federal Government has called for a **thorough investigation of claims of gender-specific abuse** lodged against employees of the United Nations in conjunction of aid programmes in the past. The majority of the aid organisations have pledged to adhere to Codes of Behaviour which generally include a concrete catalogue of measures to avert abuse and exploitation as well as stronger sanction mechanisms. Through partnership contracts, the aid organisations that operate on behalf of international organisations are obliged to adhere to the provisions.

**Combating trafficking in human beings** is also an issue in **developmental cooperation projects**. In Albania, for example, the Federal Ministry for Economic Cooperation and Development supports a project to improve the legal and psychosocial situation of women who are endangered by trafficking in human beings. The project has the goal of improving the implementation of the legal basis for combating trafficking in human beings and increasing the availability of qualified legal counselling for the victims; endangered groups are also given an opportunity to obtain training in order to improve their occupational perspectives.

The Federal Ministry for Economic Cooperation and Development also finances a **supraregional programme to promote equality between the sexes and women's rights**, which includes activities to



combat trafficking in human beings. Within this framework, support is provided both for model initiatives dealing with prevention, protection, counselling and rehabilitation, and for those that promote networking between organisations, initiatives and others active in this context. The pilot intervention measures will be assessed, and orientation for new approaches within the framework of developmental co-operation will be derived from these results, which will also be made available to those responsible for the projects and programmes.

Worldwide there are an estimated 130 million women and girls who have been subjected to genital mutilation. **Genital mutilation** is a violation of the human rights of women and girls to bodily integrity and sexual self-determination with severe and, for the most part, permanent physical and psychological consequences. In various United Nations women's rights documents the dangers involved in these practices are cited and condemned as a massive form of violence and discrimination against women. In developing countries, the problem has since begun to be more openly discussed and measures have been launched to overcome it.

The Federal Government finances the **supraregional programme for the "Promotion of Initiatives to End Female Genital Mutilation (FGM)"**, which is currently active in eight countries in Africa where the practice is highly prevalent. This programme focuses its model cooperation efforts with local partner initiatives on:

- | education concerning the physical and psychological damage resulting from FGM,
- | development of teaching plans for FGM related lessons,
- | establishment of alternative (FGM-free) initiation rituals,
- | efforts to influence local (political and religious) officials in order to persuade them to publicly declare their opposition to FGM,
- | support in the development and implementation of national plans of action against FGM.

Moreover, the Federal Ministry for Economic Cooperation and Development also participates in **financing projects** to end female genital mutilation, **which are operated by private German agencies.**

In **governmental consultations and negotiations with African partner countries on developmental policy**, the Federal Government regularly makes a strong case for the adoption of national laws and plans of action against genital mutilation. In the past year, the number of African states in which genital mutilation has become punishable by law has clearly increased. Currently, genital mutilation is legally prohibited in 17 of the 30 African countries in which it is traditionally practiced. The Federal Government has also been working, within the context of political dialogue with African countries on development policy, to advance the **ratification process of the Maputo Protocol as an additional protocol to the African Charter on Human Rights**. In this protocol, which has been in force since November 2005, 20 of the 52 member states of the African Union have committed themselves by international law to ending female genital manipulation.

In light of the positive results that have already been achieved in conjunction with German developmental work towards ending genital mutilation in countries like Benin, Burkina Faso, Guinea, Mali and Niger, the Federal Government is now working more intensively towards making the struggle against genital mutilation a **topic related to all areas of developmental cooperation with the partner countries in question**. This also includes communicating the fact that the dedication of the partner government towards ending genital mutilation will be viewed as a decisive indicator of good governance and will thereby be established as a recognised criterion for bilateral developmental cooperation with the countries in question,

According to estimates by experts, there are several hundred thousand women and girls from countries in which genital mutilation is prevalent now living **in EU countries**. Many of these families bring their values and traditions with them and continue to adhere to them in their new countries of residence. In Germany, for example, roughly 59,000 African women come from countries in which female genital mutilation is practiced. The Federal Government will therefore continue – especially in cooperation with non-governmental organisations – to support and examine the necessary educational measures.

The conference initiated by the Federal Ministry for Economic Cooperation and Development entitled “End Female Genital Mutilation: Experience from Africa and Europe – Perspectives for Germany“, in December 2006, brought together experts from federal ministries, authorities, associations and non-governmental organisations; it thereby made an important contribution towards networking state and social, as well as domestic and foreign policy efforts, aimed at ending genital mutilation. At this conference, numerous concrete **recommendations on activities by political and social institutions** were drafted. The Federal Government established an **interdepartmental working group** to examine these recommendations and to implement them if needed. The Federal Government also contributes its thoughts on the topic of ending female genital mutilation to the German **network “Integra” within the framework of their joint cooperation**.









This brochure is part of the public relations work of the Federal Government;  
it is made available free of charge and is not intended for sale.

**Published by:**

Federal Ministry for  
Family Affairs, Senior Citizens,  
Women and Youth – BMFSFJ  
11018 Berlin  
[www.bmfsfj.de](http://www.bmfsfj.de)

**Available from:**

Publikationsversand der Bundesregierung  
Postfach 48 10 09  
18132 Rostock  
Tel.: 018 05/77 80 90\*  
Fax: 018 05/77 80 94\*  
E-Mail: [publikationen@bundesregierung.de](mailto:publikationen@bundesregierung.de)  
Internet: [www.bmfsfj.de](http://www.bmfsfj.de)

**As of:**

November 2007

**Designed by:**

KIWI GmbH, Osnabrück

**Printer:**

Koelblin-Fortuna-Druck, Baden-Baden

If you have any more questions, use our  
service telephone: 018 01/90 70 50\*\*

Fax: 030 18/5 55 44 00

Monday–Thursday 9.00 a.m. – 6.00 p.m.

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